



## SEARCH & CONFISCATION POLICY

### LEARNERS

Updated September 2019  
Approved by the Principal

**This policy refers to and should be read in conjunction with the following policies:**

- Safeguarding and Child Protection Policy
- Drugs and Substance Misuse Policy
- Learning and Behaviour Policy
- Exclusions Policy

#### 1. Key Points

- 1.1 Big Creative Academy security staff can search a learner for any item banned under the Learning and Behaviour Policy, if the learner agrees.
- 1.2 Security staff are authorised to search learners or their possessions, without consent, where they suspect the learner has certain prohibited items. The items that can be searched for under this power are knives or weapons, alcohol, illegal drugs and stolen items
- 1.3 Security staff can seize any banned or prohibited item found as a result of a search or which they consider harmful or detrimental to Academy discipline.
- 1.4 Reasonable force may be used by the person conducting the search. Only security staff are authorised by the Principal to use reasonable force in the case of a 'search without consent' (see also Safeguarding and Child Protection Policy).

#### 2. Refusal to agree to a search

- 2.1 If a learner refuses to be screened, Big Creative Academy may refuse to have the learner on the premises.
- 2.2 In order to ensure the safety of all Big Creative Academy learners, those refusing to co-operate with a search can receive a written warning or be suspended or excluded.

#### 3. Who Can Search/What Can be Searched For

- 3.1 Knives or weapons, alcohol, illegal drugs and stolen items (referred to in the legislation as 'prohibited items').

3.2 Members of staff authorised to search learners are as follows:

- Big Creative Academy Security Staff
- Big Creative Academy Curriculum Managers, the Senior Management Team and the Buildings Manager

The member of staff conducting the search must be the same sex as the learner being searched; and there must be a witness (a Big Creative Academy staff member) and, if at all possible, they should be the same gender as the learner being searched.

#### **4. Establishing grounds for a search**

4.1 Big Creative Academy security staff can only undertake a search without consent if they have reasonable grounds for suspecting that a learner may have in his or her possession a prohibited item. They must decide in each particular case what constitutes reasonable grounds for suspicion. For example, they may have heard other learners talking about the item or they might notice a learner behaving in a way that causes them to be suspicious.

4.2 Big Creative Academy staff can view CCTV footage in order to make a decision as to whether to conduct a search for an item.

#### **5. The power to seize and confiscate items**

5.1 Big Creative Academy security staff have the power to confiscate, retain or dispose of a learner's property as a disciplinary penalty, where reasonable to do so.

5.2 The member of staff can use their discretion to confiscate, retain and/or destroy any prohibited item found as a result of a 'with consent' search so long as it is reasonable in the circumstances.

5.3 Where any article is thought to be a weapon or controlled substance (see also Drugs and Substance Misuse Policy) it must be passed to a senior manager or directly to the police. A senior manager must always be informed.

#### **6. Items found as a result of a search**

6.1 If any prohibited items are found during a search then the learner will be subject to the Learning and Behaviour Policy or Exclusions Policy and may receive a written warning or be suspended or excluded at the discretion of the Principal.